

REMARKS

The Examiner has required restriction of the pending claims to one of 20 groups of claims as set forth on pages 2-3 and a further election of species as set forth on page 6 of the Office Action in the event certain designated groups/claims are elected. In response to the restriction/election of species requirement, Applicants hereby provisionally elect Group II, claims 5, 6, 8 and 9 (joining claims 1-4, 7 and 14-37), for examination, with traverse. Applicants also hereby provisionally elect the species Type B of *Neisseria meningitidis*, for examination, with traverse.

Applicants' traversal is based on the grounds that the Office has not shown that there would be a serious burden to examine the claims 1-51 together. As set forth in MPEP § 803, there must be a serious burden on the Examiner to justify restriction of the claims. Because a burden must be shown, and because the Office has not demonstrated such a burden, Applicants respectfully request that the Restriction Requirement be withdrawn.

Solely in the interest of speeding up prosecution, Applicants have pre-emptively amended the claims based on the restriction/election made herewith. In other words, Applicants do not concede the opportunity to successfully prevail in their traversal of the current restriction/election.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Though no fees are presumed due with this submission, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the

wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date: August 18, 2006

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